

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Jessica Brown,

Plaintiff

v.

CCDC, et al.,

Defendants

Case No. 2:24-cv-00377-CDS-EJY

**Order Denying as Moot Second
Application to Proceed in Forma Pauperis
and Dismissing Second Complaint**

[ECF Nos. 5, 6]

Plaintiff Jessica Brown initiated this case with an application to proceed *in forma pauperis* (“IFP”) and a civil-rights complaint under 42 U.S.C. § 1983. ECF Nos. 2, 2-1. Brown subsequently filed a second IFP and a second civil-rights complaint with different claims and different defendants. ECF Nos. 5, 6. It is not clear whether Brown intended to file these documents in this case, or whether she intended to open a new case.

Brown can only pursue a single operative complaint in a case. If Brown needs to make a change to her complaint, she can file an amended complaint. but she cannot pursue two separate complaints in a single case. For Brown’s benefit, the court further notes that any amended complaint must be complete in itself and must contain all claims, defendants, and factual allegations that Brown wishes to pursue in a case.

The complaint filed at ECF No. 6 is marked original complaint and includes different defendants and different claims than the initial complaint. It was also filed at the same time as a second IFP. As such, it appears that Brown intended to open a second case rather than file these documents in this case. Therefore, the court will deny the second IFP as moot, dismiss the second complaint without prejudice, and direct the Clerk of the Court to open a new case and file the second IFP application and complaint (ECF Nos. 5, 6) into that new case.

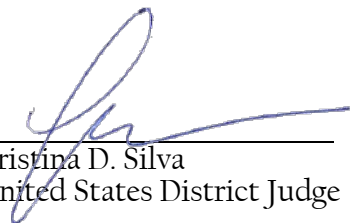
Conclusion

Accordingly, IT IS HEREBY ORDERED that plaintiff's second IFP [ECF No. 5] is denied as moot.

IT IS FURTHER ORDERED that plaintiff's second complaint [ECF No. 6] is dismissed without prejudice because it was incorrectly filed in this case.

The Clerk of the Court is kindly directed to open a new case for plaintiff Jessica Brown and to file the second IFP (ECF No. 5) into the new case with the second complaint (ECF No. 6) attached.

Dated: March 26, 2024


Cristina D. Silva
United States District Judge